



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SA:RP/SN

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 13, 2014

By ECF

The Honorable Nicholas G. Garaufis
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Brooklyn, N.Y. 11201

Re: United States v. Ronald Herron
Criminal Docket No. 10-615 (NGG)

Dear Judge Garaufis:

The government submits this letter to advise of the Court of certain issues that the government believes may arise in the defendant's proposed case that could impact the orderly management of the trial and result in substantial juror confusion. On Tuesday, June 10, 2014, counsel for the defendant advised that it was considering calling a number of witnesses during the defendant's case in addition to James Braxton Peterson, its proposed rap expert. Those witnesses include a number of individuals who appear – based on a review of the public record and with cursory investigation – to have potential Fifth Amendment concerns.

Such witnesses include:

(1) Stacey Knight, also known as "Sol-B," identified by several witnesses as the "GF" or "Godfather" the Murderous Mad Dog Bloods;

(2) Kendale Robinson, also known as "Smurf," who is currently serving a life sentence in state prison for the obstruction-related murder of a 16-year-old girl. Multiple witnesses identified Robinson at trial as being the target of the conspiracy to murder and attempted murder set forth in Racketeering Act Six;

(3) Naquan King, also known as "Quan," who witnesses have testified sold crack with Herron in 423 Baltic Street, has previously been prosecuted in the Eastern District

of New York, and was convicted after trial in state court for the murder of Terek Ramelize, also known “Slow;”

(4) Johnathan Rice, who appears to be a member of the Murderous Mad Dog Bloods and is currently serving a 14-year sentence for his conviction after trial in state court for armed robbery;

(5) Jorge Mejia, also known as “Moose,” who appears, with the defendant in Project Music 1 (Part 2), recovering in a hospital bed pledging murderous retaliation with the defendant against Victor Zapata, also known as “Macho,” and Jose Valle, also known “Manny.” Multiple witnesses have testified that Mejia served as Herron’s enforcer in connection with the Ronald Herron Enterprise. Mejia is serving 144 months in prison for his illegal use of firearms, in connection with this case;

(6) Diane Flowers, also known as “Diane Herron,” who multiple witnesses have identified, most significantly for her involvement in obstruction in connection with the charged enterprise, and specifically as an accessory after the fact to the May 9, 2008 murder of Richard Russo in the elevator of 423 Baltic Street; and

(7) Leonard Grant, also known as “Uncle Murda,” who has appeared in a number of videos with the defendant and has a relatively significant criminal history.

In light of the above and other issues not set forth herein, the government advises the Court that it believes it is highly likely that many of these witnesses may seek to invoke their Fifth Amendment rights during cross-examination by the government and possibly even during direct examination by the defense. It is the government’s understanding that many of these witnesses have not consulted with counsel regarding the potential consequences of testifying under oath in federal court. As such, the government respectfully submits that the Court consider appointing counsel to represent these witnesses, in advance of their testimony, so that the Court can manage the trial and

testimony in an orderly fashion, and to avoid the serious potential for juror confusion, should a witness invoke his or her Fifth Amendment rights during testimony before the Court.

Respectfully Submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/
Shreve Ariail
Samuel P. Nitze
Rena Paul
Assistant U.S. Attorneys
(718) 254-6616/6465/7575

cc: Clerk of Court (NGG) (via ECF)